

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

SEP 13 2005

JOHN F. CORCORAN, CLERK
BY:  DEPUTY CLERK

PETER JAMES GIVENS,
Plaintiff,

v.

LT. ATKINS, et al.,
Defendants.

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Civil Action No. 7:05-cv-00448

FINAL ORDER

By: Hon. James C. Turk
Senior United States District Judge

In accordance with the Memorandum Opinion entered this day, it is hereby

ADJUDGED and ORDERED

that this action as amended shall be and hereby is **DISMISSED** without prejudice, pursuant to 28 U.S.C. §1915A(b)(1), for failure to state a claim upon which relief could be granted, and the action is hereby stricken from the active docket of the court.

The Clerk is directed to send certified copies of this order and the accompanying memorandum opinion to plaintiff.

ENTER: This 13th day of September, 2005.



Senior United States District Judge